

Department of State

§ 9.2

preparation are printed on the back of the forms.)

(3) The Report of Closed Meeting(s) is signed by the committee chairman and submitted in original and 8 copies.

(4) The Advisory activities reports are submitted in 9 copies each, except Presidential advisory committee reports are submitted in 12 copies.

§ 8.11 Records.

(a) The records of an advisory committee consist of all papers and documents which are prepared for or by and/or made available to the committee, and are maintained by the office responsible for the committee. Such records are *inter alia* agenda, drafts, minutes, notices, press releases, reports, studies, transcripts, and working papers.

(b) The Advisory Committee Management Officer maintains the Department's official records relating to the management of all committees.

§ 8.12 Financial records.

Accurate records will be kept by the responsible committee office of all operating and salary costs of a committee. (See instruction item 17 on SF-248.)

§ 8.13 Availability of records.

The records of a committee are to be made available upon request in accordance with the Department's regulations promulgated in accordance with the provisions of the Freedom of Information Act (40 FEDERAL REGISTER 7256-7529, February 19, 1975).

§ 8.14 Public inquiries.

Public inquiries concerning the implementation of the Federal Advisory Committee Act and the management of the advisory committees of the Department should be addressed to the Advisory Committee Management Officer, Management Systems Staff, Department of State, Washington, DC 20520.

PART 9—SECURITY INFORMATION REGULATIONS

Sec.

9.1 General policy.

9.2 Implementation and oversight responsibilities.

9.3 Responsibility for safeguarding classified information.

9.4 Classification.

9.5 Classification designations.

9.6 Requirements for classification.

9.7 Classification authority.

9.8 Limitations on classification.

9.9 Duration of classification.

9.10 Derivative classification.

9.11 Derivative classification guides.

9.12 Identification and markings.

9.13 Transferred material.

9.14 Declassification and downgrading.

9.15 Systematic review for declassification guidelines.

9.16 Mandatory review.

9.17 Schedule of fees.

9.18 Access by Presidential appointees.

APPENDIX A TO PART 9—DEFINITIONS

AUTHORITY: E.O. 12356, National Security Regulations of April 2, 1982 (47 FR 14874, April 6, 1982); Information Security Oversight Office Directive No. 1 (47 FR 27836, June 25, 1982).

SOURCE: 47 FR 55594, Dec. 10, 1982, unless otherwise noted.

§ 9.1 General policy.

(a) E.O. 12356 (hereinafter called "the Order") recognizes that it is essential that the public be informed concerning the activities of its government, but that the interests of the United States and its citizens require that certain information concerning the national defense and foreign relations be protected against unauthorized disclosure. With this object, the Order prescribes a uniform system for classifying, declassifying, and safeguarding national security information.

(b) The purpose of these regulations is to assist in the implementation of the Order and Information Security Oversight Office (hereinafter referred to as ISOO), Directive No. 1, (hereinafter called "the Directive"), and users of these regulations may refer to the Order and Directive for additional guidance.

§ 9.2 Implementation and oversight responsibilities.

The Order requires each agency that originates or handles classified information to promulgate implementing regulations. The Order further requires that each agency originating or handling classified material shall designate a senior official to direct and administer its information security

§9.3

22 CFR Ch. I (4–1–02 Edition)

program. This official shall be responsible for actively overseeing the agency's program, including a security education program, to ensure effective implementation of the Order.

(a) In addition, this official shall have the following responsibilities:

(1) To establish and monitor agency policies and procedures to prevent over or under classification, to ensure the protection from unauthorized disclosure of properly classified information, including intelligence information, and to ensure orderly and effective declassification of agency documents which no longer require protection, in accordance with the terms of the Order.

(2) To review proposed classified disclosures of an exceptional nature bearing upon issues of concern to the Congress and the public.

(3) To issue any needed guidelines for classification or declassification.

(4) To recommend to the agency head the following:

(i) Proposals for reclassification in accordance with section 1.6(c) of the Order;

(ii) Other categories of information, as defined in section 1.3(a)(10) of the Order, which require protection against unauthorized disclosure but which are not specifically protected by sections 1.3(a) (1) through (9) of the Order;

(iii) Waivers, for specified classes of documents or information of the requirement to indicate which portions of documents are classified and which are not, as provided by section 1.5(b) of the Order; and

(iv) Waivers for specified classes of documents or information, of the requirement to prepare derivative classification guides, as provided by section 2.2(c) of the Order.

(5) To prepare a list of officials, by name or position, delegated Top Secret, Secret, and Confidential classification authority.

(6) To receive, and if necessary act on, suggestions and complaints with respect to that agency's administration of its information security program.

(7) To provide guidance concerning corrective or disciplinary action in unusually important cases involving unauthorized disclosure or refusal to declassify.

(8) To maintain liaison with the Director of ISOO and to furnish reports and information as required by section 5.2 of the Order.

(b) *Department of State.* Within the Department of State, the senior official is the Deputy Assistant Secretary, Classification/Declassification Center, hereinafter referred to as (DAS/CDC).

(c) *AID.* Within AID (a component of the International Development Cooperation Agency), the senior official is the Inspector General.

(d) *USIA.* Within USIA, the senior official is the Director, Office of the Public Liaison.

§9.3 Responsibility for safeguarding classified information.

(a) *Primary.* The specific responsibility for the maintenance of the security of classified information rests with each person having knowledge or physical custody thereof, no matter how obtained.

(b) *Individual.* Each employee is responsible for becoming familiar with and adhering to all security regulations.

(c) *Supervisory.* The ultimate responsibility for safeguarding classified information rests upon each supervisor to the same degree that the supervisor is charged with functional responsibility for the organizational unit. While certain employees may be assigned specific security responsibilities, such as Top Secret Control Officer or Unit Security Officer, it is nevertheless the basic responsibility of supervisors to ensure that classified material entrusted to their organizational units is handled in accordance with the procedures prescribed in these regulations. Each supervisor should ensure that no one employee is assigned unreasonable security responsibilities in addition to usual administrative or functional duties.

(d) *Organizational.* The Offices of Security in State, AID, and USIA are responsible for physical, procedural, and personnel security in their respective agencies. In the Department of State, the Office of Communications (COMSEC) is responsible for communications security.